



Paper 16

NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)  
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MERRIFIELD VA 22116

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OCT 08 2004

In re Application of  
Shu-Wen Sung et al.  
Application No. 10/063,822  
Filed: May 16, 2002  
Attorney Docket No. KYCP0005USA

OFFICE OF PETITIONS  
ON PETITION

This is a decision on the renewed petition, filed September 23, 2004 under 37 CFR 1.137(b), to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the final Office Action mailed May 5, 2003. A response was filed October 8, 2003 with a three month extension of time request. By Advisory Action of January 8, 2004, petitioner was advised that the response did not place the application in condition for allowance. This application became abandoned on August 6, 2003. Accordingly, a Notice of Abandonment was mailed March 18, 2004. A petition to revive was filed July 20, 2004 and dismissed in a decision mailed September 14, 2004.

Comes now petitioner with this renewed petition.

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by:

(1) the required reply (unless previously filed), which may be met by the filing of a continuing application in a nonprovisional application abandoned for failure to prosecute, but must be the payment of the issue fee or any outstanding balance thereof in an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof;

(2) the petition fee required by 37 CFR 1.17(l);

(3) a statement that the entire delay in filing the required reply from the due date

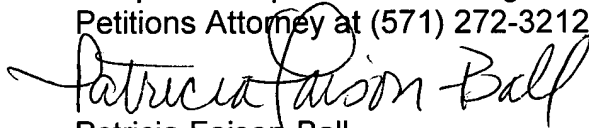
for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) a terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) in a design application, a utility application filed before June 8, 1995, or a plant application filed before June 8, 1995.

A Request for Continued Examination (RCE) and an amendment are submitted with the petition in response to the Final Office action and in compliance with 37 CFR 1.114. The RCE fee and fee for additional independent claims has been charged to deposit account no. 50-3105.

The application is being forwarded to Technology Center 2815 for processing of the RCE and amendment.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink, reading "Patricia Faison Ball". The signature is written in a cursive, flowing style.

Patricia Faison Ball  
Senior Petitions Attorney  
Office of Petitions